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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT PAPER NUMBER

2626

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/903,670

Applicant(s)

CHIU, CHUI-KUEI

Examiner

Madeleine AV Nguyen

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1- 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claim 1:

- lines 4-7: "said difference means for operating each said digital signal with subtracting a base value, whereby filters any aberrant said digital signals" does not make any sense. How does the difference means operate each of the digital signal? What does the filtering operation? What does it means "any aberrant said digital signal"?

- lines 8-10: How does the divider means operate? How does it means "operating each said digital signal with dividing a number of scanned times? What is "scanned times" defined? What does prevent an operation? What does it means "prevents an operation of any said signal from overflowing?

- lines 11-13: How does the direct average means sum? Clarification on "summing said digital signals and then dividing said number of scanned times." What does speed a calibration operation?

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- Claim 2: lines 2-5 clarification on “operating each said digital signal with adding a parameter value and dividing said number of scanned times”, “prevents said operation of any said digital signal from truncation.” What does prevent said operation?

- Claim 3: lines 2-5 clarification on “said difference means comprises generating ...”, “dividing a summation of each said digital signal subtracting said base value by said number of scanned times”. What is added said value up?

- Claim 4: lines 2-4 clarification on “said difference means comprises comparing ...”.

- Claim 5: lines 2-4 clarification on “divider means comprises generating ...”, “adding each said digital signal divided by said number of scanned times up”.

- Claim 7:

- lines 5-9: clarification on “a first summation of said first digital signal subtracting a base value and said second digital signal subtracting said base value”, “any aberrant said digital signal”. What does the filtering operation?

- lines 12-17: clarification on “any said signal from overflow”. What does prevent an operation?

- lines 18-21: clarification on “whereby speeds a calibration operation”.

- Claim 8: lines 2-6: clarification on “a first addition value or said first digital signal and a parameter value”, “a second addition value of said second digital signal and said parameter value”.

- Claim 9: lines 2-4: clarification on “said round-value means comprises replacing ...”, “whereby prevents said operation”.

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- Claim 10: lines 2-4: clarification on “said difference means comprises generating ...”, “whereby is added said base value up”.
 - Claim 11: lines 2-5: clarification on “said difference means comprises comparing ...”.
 - Claim 12: lines 2-3: clarification on “said divider means comprises assigning ...”.
 - Claim 13: lines 6-10: clarification on “providing at least first digital signal from scanning a pixel of calibration”, “to operating a first summation of said first digital signal subtracting a base value and said second digital signal subtracting said base value”.
 - Claim 14: lines 2-5: clarification on “a first addition value of said first digital signal and a parameter value”, “a second addition value of said second digital signal and said parameter value”.
 - Claim 16: lines 3-4: clarification on “whereby is added said base value up”.
 - Claims 6 and 17 are also rejected since they are dependent on a rejected claim.
3. Claim 1 recites the limitation "any said signal" in line 10. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 12 recites the limitation "said pixel" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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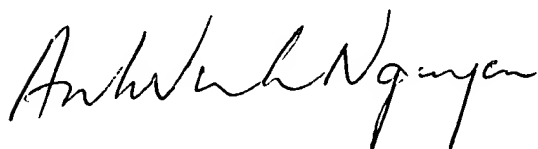
a. Barton et al (US Patent No. 5,757,425) discloses a method and apparatus for independently calibrating an image sensor having an array of pixel sensor sites and an area light source having a corresponding array of pixel emission sites.

b. Renk et al (US Patent No. 6,606,171) teaches a digitizing scanner with an illuminator defining a line array of a plurality of calibrated and controlled LEDs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Madeleine AV Nguyen
Primary Examiner
Art Unit 2626

March 7, 2005